

REMARKS

Claims 1-55 are pending.

Claims 1-55 stand rejected.

Claim 1, 5, 7, 9, 15, 18, 38, 45 and 46 are amended herein. No new matter is added.

Request for Continued Examination

This amendment is accompanied by a Request for Continued Examination.

Claim Amendments

Claim 9 is amended without prejudice for grammatical purposes. The claim amendment is not being made to overcome the cited references, and Applicant neither intends nor believes that this amendment operates to narrow the scope of the claim.

Claim Objection

Claim 39 was objected to for grammatical purposes. Claim 39 was amended in Applicant's response after final, dated August 22, 2007 in response to the objection. The objection is believed to be moot.

Claim Rejections – 35 USC §112

Claim 1 was rejected under 35 USC 112, first paragraph as being unsupported by the specification. Claim 1 was amended in Applicant's response after final, dated August 22, 2007 in response to the rejection. The rejection is believed to be moot.

Claim Rejections – 35 USC §102

Claims 1, 3, 11-14, 17-19, 30-33, 35-39 and 5-55 were rejected under 35 USC 102(e) over Seto (US 5,124,810)

In Examiner's summary of telephonic interview, dated September 12, 2007, the Examiner acknowledged claim language that, if included in amended claims 1, 18 and 38, would be successful in overcoming the Seto reference. The Applicant appreciates the Examiner's consideration of the proposed claim language. Without necessarily agreeing with Examiner's interpretation of previously presented claims 1, 18 and 38 in view of Seto, Applicant nevertheless amends claims 1, 18 and 38 to further clarify the claim language in order to expedite prosecution.

For example amended claim 1 recites, in part, a method comprising: "feeding the

document a feeding length that is less than a total length of the document to a second position.”

Amended claim 18 recites, in part, a method comprising: “actuating the document feeder to feed the document into the optical scanner an appropriate length that is less than a total length of the document, to place said document in a second position.”

Amended claim 38 recited, in part, an optical scanning device comprising: “a document feeder adapted to place a document in a first position, wherein the optical scanning device is adapted to capture a first image while the document is in the first position, the document feeder is further adapted to feed the document into the optical scanner a feeding length to place the document in a second position, wherein the feeding length is less than a total length of the document.”

Claims 5, 7, 15, 45 and 46 are amended to recite claim language consistent with the amendment of claims 1 or 38. Claims 2-17, 19-37 and 39-55 are believed to be allowable as depending on claims 1, 18 or 38 in addition to the further novel features recited therein. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 1-55.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. In some cases Applicant may have amended or argued the allowability of independent claims thereby obviating grounds for rejection of the dependent claims.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of the pending claims is requested. Please telephone the undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,
STOLOWITZ FORD COWGER LLP

A handwritten signature in cursive script, reading "Bryan Kirkpatrick", written over a horizontal line.

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